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Date of Deposit: April 12, 2004

Attorney Docket No.: 24299-514 CIP2A DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST-NAMED INVENTOR: Crossman, et al

FOR: DIAGNOSTICS AND THERAPEUTICS FOR RESTENOSIS

Box PATENT APPLICATION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR. §1.53(b)

1. This is a request for filing a divisional application under 37 C.F.R. §1.53(b). This application claims priority to USSN 09/578,534 filed May 24, 2000, which is a continuation-in-part of USSN 09/431,352 filed November 1, 1999 (now U.S. Pat. No. 6,524,795), which is a continuation-in-part of USSN 09/320,395, filed May 26, 1999 (now abandoned), which is a continuation-in-part of USSN 08/813,456, filed March 10, 1997 (now U.S. Pat. No. 6,210,877, the entire contents of which are incorporated herein by reference.

2. This application is a total of 129 pages. This application includes:

109 pages of specification (including claims and abstract)

10 pages of claims

1 page of abstract

20 sheets of drawings (FIGS. 1-10)

3. A Preliminary Amendment is being filed with this application. (6 pgs).

4. A copy of a signed combined Declaration/Power of Attorney submitted in continuation application USSN 09/578,538 filed May 24, 2000 is included.

5. The prior application is assigned of record to Interleukin Genetics, Inc.

6. An Information Disclosure Statement (filed September 6, 2001) and a Supplemental Information Disclosure Statement (filed December 7, 2001) and the accompanying modified PTO-1449 Forms are enclosed.

7. Fees associated with this application are calculated using the claims that will be pending in the application.



14230 U.S. PTO

22390 U.S. PTO
10/823197




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Request for Divisional Application (37 C.F.R. §1.53(b))

| CLAIMS AS FILED | | | | | |
|-------------------------------------------------------------|-----------------|------------------------|-----------------|----------|------------------------------------------|
| Claims | Number Filed | Basic Fee Allowance | Number Extra | Rate | Basic Fee 37 CFR. 1.16(a) \$770.00 |
| Total Claims (37 CFR. 1.16(c)) | 79 | - 20 = | 59 | \$18.00 | \$1,062.00 |
| Independent Claims (37 CFR. 1.16(b)) | 7 | - 3 = | 4 | \$86.00 | \$344.00 |
| Multiple Dependent Claim(s), if any (37 CFR. 1.16(d)) | -0- | | | \$290.00 | |
| SUBTOTAL: | | | | | \$2,176.00 |
| Reduction by 50% for small entity: | | | | | \$.00 |
| TOTAL FEE: | | | | | \$2,176.00 |

9. A check (#18467) in the amount of **\$2,176.00** is enclosed. The Commissioner is authorized to charge any additional fees due, or credit overpayments, to Deposit Account No. 50-0311, Ref. No. 24299-514 CIP2A DIV.

10. A return postcard is enclosed.

Respectfully submitted,



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Dated: April 12, 2004

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